

From: Stephen J. Lemmons
To: Microsoft ATR
Date: 1/17/02 1:20pm
Subject: Microsoft Settlement

Dear Sir or Madam;

For a new of years I have been watching Microsoft, its products, and the way it conducts business. I've also followed the "Monopoly" court action along with the various proposed settlements. Based on what I have observed, I would like to submit the following comments.

1. Over the years in many court actions, Microsoft has agreed to settlements with promises to discontinue its various inappropriate actions/conduct. In each instance, when things have quieted down, they returned the very same conduct that caused the legal action to be filed. Their promises and signed legal documents mean nothing to them.

2. If they can't get a company to license a feature from their copyrighted software, if possible, Microsoft tries to purchase the company. Case in point; FoxPro, Inc. After purchasing FoxPro, Microsoft Chairman Bill Gates stated in an interview for Database Advisor, that Microsoft would continue to produce FoxPro for DOS (that would at that time have been FoxPro 3.0 for DOS). To date this program still hasn't seen the light of day.

3. Despite court orders to "Unbundle Internet Explorer" from the Windows Operating System, Microsoft to this date has refused to do so. In fact, several of their software packages will not install unless you allow them to put Internet Explorer on your PC.

4. A new software manufacturer started up in September or October of 2001. They are offering an alternative to Windows. At Christmas time, Microsoft filed a lawsuit alleging trademark infringement due to the company's name and its products name. The names are easy to distinguish between.

I have read both the federal government's proposed sanctions against Microsoft and the proposed sanctions by the states that disagree with the federal government's. In both cases, the boat has been badly missed. These sanctions are nothing more than the same type of things done previously with Internet Explorer and in other cases against Microsoft where they continued to do what they wanted, placing themselves above the law. There is only one way Microsoft can be brought back in line and made to follow the law like the rest of us; that being a split up into at least two, if not three separate companies. One would develop and produce operating systems, another would develop and produce internet browsers and server software and the last would

develope and product productivity software such as MS-Word, MS-Excel, MS-PhotoDraw, etc. Failure to bring Microsoft back in compliance with the law will have a major negative effect on the development and production of new software and hardware.

Respectfully,

Stephen J. Lemmons